

EXPANSION OF FORT DAVIS HISTORIC SITE, FORT DAVIS, TEXAS

AUGUST 3, 1998.—Committed to the Committee of the Whole House on the State
of the Union and ordered to be printed

Mr. YOUNG of Alaska, from the Committee on Resources,
submitted the following

REPORT

[To accompany H.R. 3047]

[Including cost estimate of the Congressional Budget Office]

The Committee on Resources, to whom was referred the bill (H.R. 3047) to authorize expansion of Fort Davis National Historic Site in Fort Davis, Texas, by 16 acres, having considered the same, report favorably thereon without amendment and recommend that the bill do pass.

PURPOSE OF THE BILL

The purpose of H.R. 3047 is to authorize expansion of Fort Davis National Historic Site, in Fort Davis, Texas, by 16 acres.

BACKGROUND AND NEED FOR LEGISLATION

H.R. 3047 would authorize the expansion of Fort Davis National Historic Site by 16 acres. This bill would amend the Fort Davis Historic Site enabling legislation (75 Stat. 488) by increasing the “not to exceed” acreage clause by 16 acres. The acreage to be acquired is needed to protect the site’s historic setting and viewshed. No federally appropriated funds are requested for the land acquisition.

The Fort Davis site was established in 1961 because it represented a key Army post in the defense system of West Texas during the mid-to-late 1800s. The land to be acquired is situated on the southern boundary of the existing Fort Davis site and may include valuable archaeological and historical objects. The site is also the probable location of the quartermaster sergeant’s and commissary sergeant’s quarters. The land to be acquired is a 16 acre

parcel of private land and includes a land formation, known locally as the Sleeping Lion Mountain, and has been offered for sale to the National Park Service. The National Park Service has expressed a keen interest in acquiring this land and the seller has stated that the Park Service would have first options to purchase the land when it became available. Commercial development in close proximity to the Historical Site has become a major concern. Visual intrusions are occurring and will continue within the surrounding town area that is unincorporated and has no zoning restrictions. Acquisition of the property would prevent the possibility of commercial development and also eliminate the impact of any visual intrusions.

No federally appropriated funds are necessary for this acquisition. Funding for its purchase would come from other sources such as private or foundation donations. Furthermore, this proposal would require no additional staffing, personnel, or equipment costs.

COMMITTEE ACTION

H.R. 3047 was introduced on November 13, 1997, by Congressman Henry Bonilla (R-TX). The bill was referred to the Committee on Resources, and within the Committee, to the Subcommittee on National Parks and Public Lands. On March 26, 1998, the Subcommittee held a hearing H.R. 3047 where Denis Galvin, Deputy Director of the National Park Service, testified in favor of the bill. On May 21, 1998, the Subcommittee met to consider H.R. 3047. No amendments were offered and the bill was ordered favorably reported to the Full Committee by voice vote. On July 22, 1998, the Full Resources Committee met to consider H.R. 3047. No amendments were offered and H.R. 3047 was ordered favorably reported to the House of Representatives by voice vote.

COMMITTEE OVERSIGHT FINDINGS AND RECOMMENDATIONS

With respect to the requirements of clause 2(l)(3) of rule XI of the Rules of the House of Representatives, and clause 2(b)(1) of rule X of the Rules of the House of Representatives, the Committee on Resources' oversight findings and recommendations are reflected in the body of this report.

CONSTITUTIONAL AUTHORITY STATEMENT

Article I, section 8 and Article IV, section 3 of the Constitution of the United States grant Congress the authority to enact H.R. 3047.

COST OF THE LEGISLATION

Clause 7(a) of rule XIII of the Rules of the House of Representatives requires an estimate and a comparison by the Committee of the costs which would be incurred in carrying out H.R. 3047. However, clause 7(d) of that Rule provides that this requirement does not apply when the Committee has included in its report a timely submitted cost estimate of the bill prepared by the Director of the Congressional Budget Office under section 403 of the Congressional Budget Act of 1974.

COMPLIANCE WITH HOUSE RULE XI

1. With respect to the requirement of clause 2(l)(3)(B) of rule XI of the Rules of the House of Representatives and section 308(a) of the Congressional Budget Act of 1974, H.R. 3047 does not contain any new budget authority, spending authority, credit authority, or an increase or decrease in revenues or tax expenditures.

2. With respect to the requirement of clause 2(l)(3)(D) of rule XI of the Rules of the House of Representatives, the Committee has received no report of oversight findings and recommendations from the Committee on Government Reform and Oversight on the subject of H.R. 3047.

3. With respect to the requirement of clause 2(l)(3)(C) of rule XI of the Rules of the House of Representatives and section 403 of the Congressional Budget Act of 1974, the Committee has received the following cost estimate for H.R. 3047 from the Director of the Congressional Budget Office.

CONGRESSIONAL BUDGET OFFICE COST ESTIMATE

U.S. CONGRESS,
CONGRESSIONAL BUDGET OFFICE,
Washington, DC, July 31, 1998.

Hon. DON YOUNG,
*Chairman, Committee on Resources,
U.S. House of Representatives, Washington, DC.*

DEAR MR. CHAIRMAN: The Congressional Budget Office has prepared the enclosed cost estimate for H.R. 3047, a bill to authorize expansion of Fort Davis National Historic Site in Fort Davis, Texas, by 16 acres.

If you wish further details on this estimate, we will be pleased to provide them. The CBO staff contact is Deborah Reis.

Sincerely,

JUNE E. O'NEILL, *Director.*

Enclosure.

H.R. 3047—A bill to authorize expansion of Fort Davis National Historic Site in Fort Davis, Texas, by 16 acres

CBO estimates that implementing H.R. 3047 would have no significant impact on the federal budget. The bill would not affect direct spending or receipts; therefore, pay-as-you-go procedures would not apply. H.R. 3047 contains no intergovernmental or private-sector mandates as defined in the Unfunded Mandates Reform Act and would have no significant impact on the budgets of state, local, or tribal governments.

H.R. 3047 would expand the boundaries of the Fort Davis National Historic Site by up to 16 acres. Based on information provided by the National Park Service (NPS) and the Conservation Fund (the Fund), CBO expects that the land would be donated to the federal government by the Fund, a nonprofit organization that recently purchased the property from a local landowner. If the Fund donates the land, federal costs would be limited to a few thousand dollars for surveying and mapping (assuming the availability of appropriated funds). CBO estimates that, in the unlikely

event that the NPS would have to purchase the site from the Fund, the cost would be less than \$50,000 (also assuming the availability of appropriated funds).

The CBO staff contact is Deborah Reis. This estimate was approved by Robert A. Sunshine, Deputy Assistant Director for Budget Analysis.

COMPLIANCE WITH PUBLIC LAW 104-4

H.R. 3047 contains no unfunded mandates.

CHANGES IN EXISTING LAW MADE BY THE BILL, AS REPORTED

In compliance with clause 3 of rule XIII of the Rules of the House of Representatives, changes in existing law made by the bill, as reported, are shown as follows (existing law proposed to be omitted is enclosed in black brackets, new matter is printed in italic, existing law in which no change is proposed is shown in roman):

ACT OF SEPTEMBER 8, 1961

AN ACT Authorizing the establishment of a national historic site at Fort Davis, Jeff Davis County, Texas

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Interior shall acquire, on behalf of the United States, by gift, purchase, condemnation, or otherwise, all right, title, and interest in and to such lands, [not to exceed four hundred and sixty acres] *not to exceed 476 acres* in all, together with any improvements thereon, as the Secretary may deem necessary for the purpose of establishing a national historic site at the site of Fort Davis, near the town of Fort Davis, Jeff Davis County, Texas.

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